



Entered on Docket  
June 26, 2009

A handwritten signature in black ink that reads "Bruce A. Markell".

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Hon. Bruce A. Markell  
United States Bankruptcy Judge

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8 WILDE & ASSOCIATES  
9 Gregory L. Wilde, Esq.  
10 Nevada Bar No. 004417  
11 208 South Jones Boulevard  
12 Las Vegas, Nevada 89107  
13 Telephone: 702 258-8200  
14 Fax: 702 258-8787

15 Wells Fargo Bank, NA dba America's Servicing Company  
16 08-72907 / 1115046160

17 **UNITED STATES BANKRUPTCY COURT**  
18 **DISTRICT OF NEVADA**

19 In Re:

20 Maria A. Mariscal

21 Debtors.

22 BK-S-08-13487-bam

23 MS Motion No. 5/5/09  
24 Date: 5/5/09  
25 Time: 1:30 P.M.

26 Chapter 13

**ORDER RE ADEQUATE PROTECTION**

27 Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the  
28 above-entitled Court, all appearances as noted on court record, and based upon all the papers and  
29 pleadings on file herein and good cause appearing therefor.

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-  
 2 petition arrearages currently due as follows:

3 5 Monthly Payments at \$1,563.03	\$ 7,815.15
4 (December 1, 2008 – April 1, 2009)	
5 4 Monthly Late Charges at \$70.42 each	\$ 281.68
6 (December 16, 2008 – March 16, 2009)	
7 Motion Filing Fee	\$ 150.00
8 Attorneys Fees	<u>\$ 750.00</u>
9 Total Arrearages	\$ 8,996.83
10 Less immediate payment	- (\$ 7,936.33)
11	
12 Total Arrearages	\$1,060.50

13 The above arrearage shall be paid in six (6) monthly installments of \$176.75. These payments  
 14 shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month  
 15 commencing with the May 20, 2009 payment and continuing throughout and concluding on or before  
 16 October 20, 2009.

17 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give  
 18 Debtors at least five business days' notice of the time, place and date of sale.

19 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and  
 20 maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning  
 21 with the February 1, 2009 payment, on Secured Creditor's Trust obligation, encumbering the subject  
 22 Property, generally described as 109 Linden St. , Henderson, NV 89015, and legally described as follows:

23 Lot ONE HUNDRED EIGHTY (180), in Block SIX (6) of HENDERSON NO. 4, as shown by  
 24 Map thereof on File in Book 5 of Plats, Page 15, in the Office of the County Recorder of Clark County,  
 25 Nevada

26 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any  
 27 payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's  
 28 Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon  
 29 Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each  
 30 such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be  
 31 paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure  
 32 the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to

1 Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the  
2 subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete  
3 possession thereof.

4

5 Submitted by:

6 WILDE &amp; ASSOCIATES

7

8 By See page 4

9 GREGORY L. WILDE, ESQ.  
10 Attorneys for Secured Creditor  
11 208 South Jones Boulevard  
12 Las Vegas, Nevada 89107

13 APPROVED AS TO FORM &amp; CONTENT:

14 Kathleen A Leavitt

15 Kathleen A Leavitt  
16 Chapter 13 Trustee  
17 302 E Carson #300  
Las Vegas, NV 89101

18 David M. Crosby  
19 By David M. Crosby  
20 David M. Crosby  
21 Attorney for Debtors  
22 711 South 8th Street  
23 Las Vegas, NV 89101  
24  
25  
26

Nevada Bar No. 3499

Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By

**GREGORY L. WILDE, ESQ.**

Attorneys for Secured Creditor  
208 South Jones Boulevard  
Las Vegas, Nevada 89107

**APPROVED AS TO FORM & CONTENT:**

Kathleen A Leavitt

David M. Crosby

By -

Kathleen A Leavitt  
Chapter 13 Trustee  
302 E Carson #300  
Las Vegas, NV 89101

David M. Crosby  
Attorney for Debtors  
711 South 8th Street  
Las Vegas, NV 89101

Nevada Bar No. \_\_\_\_\_